

**Date Posted: September 28, 2013**

**CITY OF EAST PROVIDENCE**

**RHODE ISLAND**

**DOCKET OF REGULAR COUNCIL MEETING**

**October 1, 2013**

**Council Chambers, City Hall, 145 Taunton Avenue, East Providence,  
RI 02914**

**7:30 P.M. Open Session**

**I. CALL TO ORDER**

**II. SALUTE TO THE FLAG**

**III. TO APPROVE THE CONSENT CALENDAR**

**All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.**

**A. Letters Received**

- 1. CRMC notice of acceptance of application for feasibility of dwellings Harding Avenue, Plat 313, Lot 15.**
- 2. Middletown Resolution in support of the concept of bringing the**

**Retired Aircraft Carrier USS John F. Kennedy to Newport County as a Family Attraction, Education and Job Training Center, Disaster Relief Facility, Museum and Memorial.**

**3. CRMC Agenda for Semi-Monthly Meeting Full Council, Tuesday, September 24, 2013 at 6:00PM, Administration Building, Conference Room A, One Capitol Hill, Providence.**

**B. Alcoholic Beverage License Class F**

**1. Sacred Heart Church, 118 Taunton Ave (02914) Annual Dinner October 12, 2013.**

**C. Council Journals**

**1. Regular Council Meeting September 17, 2013**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**IV. PUBLIC COMMENT**

**V. APPOINTMENTS**

**A. Traffic Control**

**Sandra Sanford, 72 Evergreen Drive Apt. 108 (02914)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **VI. LICENSES REQUIRING PUBLIC HEARING**

**Licenses are granted subject to all required approvals from State and City departments.**

### **A.Secondhand Miscellaneous**

**Debra L. Neher DBA Forever & A Day, 298 Willet Avenue (02915),  
Debra L. Neher, 15 Florence Street (02915)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

### **B.Secondhand Autos and Trucks**

**Stateline Auto Sales & Service LLC, 987 Warren Avenue (02914), Eric  
Terceira, 43 Manning Drive (02915)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **VII. LICENSES NOT REQUIRING PUBLIC HEARING**

**Licenses are granted subject to all required approvals from State and City departments.**

**A. Annual Renewal of Miscellaneous Licenses Authorization Granting  
to Renew Subject Licenses, Excluding Alcoholic Beverage Licenses,  
for Year Commencing December 1, 2012 Upon Application by  
Licensee and Approval by Chief of Police And, as Required, by Health  
Inspector and Other City Officials.**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**B.Holiday Sales**

**Debra L. Neher DBA Forever & A Day, 298 Willet Avenue (02915),  
Debra L. Neher, 15 Florence Street (02915)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**C.Peddler/Hot Dogs**

**Kathryn Rogers DBA Kasey’s Kitchen, Kathryn Rogers, 116 Ledge  
Road #2, Seekonk, MA 02771**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**D. Vict/Over 50**

**Apple Valley KEMCO, Inc. DBA Kentucky Fried Chicken, 45 Newport  
Avenue (02916), Kenneth B. Rianna, 50 Cedar Swamp Road,  
Smithfield (02917)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**VIII. PUBLIC HEARING ORDINANCES FINAL PASSAGE**

**1. An ordinance regarding restriction of certain trucks on Brentwood  
Drive, Don Avenue and from Pawtucket Avenue to Weeden Avenue.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED**

**ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND,  
1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”**

**SECTION I. Section 18-224 entitled “Certain trucks restricted on certain streets” of Article VII entitled “Operation of Vehicles” of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Vehicles and Traffic.” is amended by adding thereto the following:**

**Brentwood Drive**

**Don Avenue, from Pawtucket Avenue to Weeden Avenue**

**SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.**

**Requested by: Public Works Director**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**IX. PUBLIC HEARING**

**A.FY 2013-2014 Budget**

**ORDINANCE OF THE COUNCIL OF THE CITY OF EAST PROVIDENCE  
APPROPRIATION \$167,762,071 FOR THE SUPPORT OF THE CITY  
GOVERNMENT FOR THE FISCAL YEAR ENDING OCTOBER 31, 2014**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY  
ORDAINS:**

**SECTION I. The general fund receipts for the fiscal year ending**

**October 31, 2014 have been established to amount to \$167,762,071 made up as follows:**

**SECTION II. To defray the expenses of the City of East Providence for the fiscal year commencing November 1, 2013 and ending October 31, 2014, the sum of money, or so much thereof as are authorized by law indicated in the accompanying schedule, are hereby appropriated for the objects and purposes, and in the amounts expressed therein, provided that payments thereunder shall be subject to the provisions of the City Charter of the City of East Providence and also subject to the provisions of said City Charter relative to the manner and form of expenditures of money set forth in said Charter from the City Treasury.**

**SECTION III. All monies appropriated are to be expended by the various departments in the manner and form approved by the Director of Finance.**

**SECTION IV. The payment to the School Fund of the following estimated receipts, included in the appropriation of \$72,858,000 for the support of the public schools for the City of East Providence fiscal year 2013-2014, shall be increased or decreased to conform with the actual amounts received from such sources during the fiscal year 2013-2014 except the appropriation of property tax.**

**SECTION V. The purpose of this ordinance is to adopt the Budget for the fiscal year 2013-2014 which begins November 1, 2013 and ends October 31, 2014 as prepared and submitted by the City Manager, and to implement the recommendations as set forth in the City Manager's Budget Message by the approval of said recommendations as contained herein, or by other ordinances or resolutions of the Council of the City of East Providence; all in accordance with the provisions of said Article.**

**SECTION VI. This ordinance shall take effect upon its passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **X. NEW BUSINESS**

### **A.City Managers Report (by City Manager Peter Graczykowski)**

- 1. Department Activity Report**
- 2. Deduct Meter Information**

### **C. Council Members**

- 1. RIGL 45-9 Explanation (by Mayor Briden)**

**2. Community Event Announcements (by Councilwoman Rossi)**

**3. Welcoming Businesses (by Councilwoman Capobianco)**

**4. Forbes Street (by Councilwoman Capobianco)**

**D. Report of School Committee Liaison**

**E. Resolutions**

**1. A RESOLUTION DESIGNATING THE CITY OF EAST PROVIDENCE  
AS A PROPERTY-ASSESSED CLEAN ENERGY MUNICIPALITY**

**“PACE MUNICIPALITY”**

**WHEREAS, investing in energy efficiency and renewable energy improvements is financially beneficial over time as well as good for the environment; and**

**WHEREAS, upfront costs are a barrier to investments in major energy improvements; and**

**WHEREAS, there are few financing options available that combine easy qualification, an attractive interest rate, and a relatively long repayment term; and**

**WHEREAS, Property-Assessed Clean Energy (“PACE”) is a voluntary financing mechanism which allows homeowners to access affordable, long-term financing for energy upgrades to their property; and**

**WHEREAS, PACE financing will allow the City of East Providence to contribute in order to help meet community sustainability, greenhouse gas emissions reductions, and energy goals and will provide a valuable service to the citizens of the City of East Providence.**

**NOW, THEREFORE, BE IT RESOLVED, that the City Council**



**designates the City of East Providence as a Property-Assessed Clean Energy municipality pursuant to R.I.G.L. § 39-26.5-1, et seq.**

**This resolution shall become effective upon its passage.**

**Requested By: Assistant Mayor Rose**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

#### **F.Introduction of Ordinances**

**1.ORDINANCE OF THE COUNCIL OF THE CITY OF EAST PROVIDENCE ORDERING THE ASSESSMENT AND COLLECTION OF PROPERTY TAX ON THE RATABLE REAL ESTATE, TANGIBLE PERSONAL PROPERTY, AND AN EXCISE TAX ON REGISTERED MOTER VEHICLES AND TRAILERS.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I. That the Council of the City of the City of East Providence hereby orders the assessment and collection of a tax on ratable real estate, tangible personal property and an excise tax on registered motor vehicles and trailers in a sum not more than One Hundred Five Million Eight Hundred Seven Thousand Nine Hundred and Seventy One (\$105,807,971) dollars nor less than One Hundred One Million Seven Hundred Thirty Eight Thousand Four Hundred and Thirty Four (\$101,738,434) dollars. Said tax is for ordinary expenses, for the payment of interest and indebtedness, in whole or in part, of said city,**

**and for other purposes authorized by law.**

**The Tax Assessor shall assess and apportion said tax on the inhabitants and ratable property of said city as of the 31st day of December, 2013 at twelve o'clock Eastern Standard Time, according to law, and shall on completion of said assessment, date and sign same and shall make out and certify to the City Treasurer of the City of East Providence, who is charged with the duties for the collection of taxes, on or before the 15th day of June, 2014 a complete list of the names of the persons taxed and of the total value of all the real estate and personal property assessed against each person, and also the amount of registered motor vehicles and trailers assessed against each person, and also the total amount assessed against each person on said real estate, personal estate and registered motor vehicles and trailers, opposite the name of the person or persons assessed. Upon receipt of the certified tax list by the City Treasurer, he shall proceed and collect said tax on the persons and estates liable thereof; said tax shall be due and payable on and between the 1st day of June 2014 and the 1st day of July, 2014 and provided further that if said tangible personal property, motor vehicle, and real estate taxes are paid in full on or before the 1st day of July, 2014, a discount of one per centum (1.0%) of the total taxes on said tangible personal property, motor vehicles, and real estate shall be granted, and all taxes remaining unpaid on the 1st day of July, 2014 shall carry until collected a penalty at the rate of twelve per centum (12%) per annum from the 1st day of June, 2014 upon said unpaid tax, however, said taxes may be**

**paid in four installments; the first installment of twenty-five per centum (25%) on or before the 1st day of July, 2014, the second installment of twenty-five per centum (25%) on or before the 1st day of September, 2014, the third installment of twenty-five per centum (25%) on or before the 1st day of December, 2014 and the fourth installment of twenty-five per centum (25%) on or before the 1st day of March, 2015.**

**Each installment of taxes if paid on or before the last day of each installment period successively in order shall be free from any charge of interest.**

**If the first installment or any succeeding installment of taxes is not paid by the last date of the respective unpaid balance period or periods as they occur, then the whole tax or remaining unpaid balance of the taxes as the case may be shall immediately become due and payable and carry until collected a penalty at the rate of twelve per centum, (12%) per annum.**

**The City Treasurer shall, by advertisement in the public newspaper having circulation in the City of East Providence, notify all persons assessed to pay their respective taxes at his office on and between the said 1st day of June, and the 1st day of July, 2014 both days inclusive; said City Treasurer setting forth the hours during which his office shall remain open to receive said taxes.**

**SECTION II. That any of said taxes not paid on or before the 1st day of March, 2015 shall forthwith be collected by levy upon the sale of real estate upon which it is assessed and by that or other due process of law in case of assessment upon personal property.**

**SECTION III. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.**

**Requested By: Finance Director**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**2. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO BORROW FUNDS IN ANTICIPATION OF TAXES.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I. The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2014 such sums of money in anticipation of the property taxes of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes**

and any tax anticipation notes of a prior year to the extent permitted by law.

**SECTION II.** This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

**Requested by: Director of Finance**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**3. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO BORROW FUNDS IN ANTICIPATION OF REVENUE.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I.** The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2014 such sums of money in anticipation of the sewer use fee revenue of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any revenue anticipation notes of a prior year to the extent permitted by law.

**SECTION II. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.**

**Requested by Director of Finance**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **XI. ADJOURNMENT**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**\*If communications assistance is needed or any other accommodations to ensure equal participation please contact the City Clerk's Office at 435-7590.**